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10 Admitted *pro hac vice*

11 *Attorneys for Defendants*

12
13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 HURRICANE ELECTRIC LLC,
16
Plaintiffs,

17 v.

18 MILLENNIUM FUNDING, INC., et al.
19
Defendants.

Case No.: 2:20-cv-01034-JCM-DJA

**STIPULATION TO STAY ACTION
PENDING RULING ON CO-PENDING
INSURANCE ACTION BY PLAINTIFF
AGAINST ITS INSURER**

(FIRST REQUEST FOR STAY)

21 Whereas, HURRICANE ELECTRIC, LLC ("Plaintiff"), through its counsel Neil D.
22 Greenstein and Joshua M. Dickey, and MILLENNIUM FUNDING, INC.; BODYGUARD
23 PRODUCTIONS, INC.; UN4 PRODUCTIONS, INC.; HOMEFRONT PRODUCTIONS, INC.;
24 MILLENNIUM MEDIA, INC.; CRIMINAL PRODUCTIONS, INC.; CLEAR SKIES NEVADA,
25 LLC; HUNTER KILLER PRODUCTIONS, INC.; LHF PRODUCTIONS, INC.; RAMBO V
26 PRODUCTIONS, INC.; FALLEN PRODUCTIONS, INC.; WICKED NEVADA, LLC; 211
27 PRODUCTIONS, INC.; FATHERS & DAUGHTERS NEVADA, LLC; VOLTAGE
28 DEVELOPMENT NCCF, LLC; HB PRODUCTIONS, INC.; STATUS UPDATE, LLC; STOIC

PRODUCTIONS, INC.; COBBLER NEVADA, LLC; SURVIVOR PRODUCTIONS, INC.; TREVOR SHORT; and AVI LERNER (“Defendants”), through their counsel Kerry S. Culpepper and F. Christopher Austin, stipulate for an order staying this action, pending resolution of Plaintiff’s insurer’s duty to defend in the case entitled *Hurricane Electric, LLC vs. National Fire Insurance Company of Hartford*, 3:20-cv-05840-CRB pending in the U.S. District Court for the Northern District of California (“Co-Pending Insurance Action”). Plaintiff and the Defendants are referred to collectively as “Parties.” Finally, the Parties have agreed that Defendants’ answers or other responses to the complaint should be set a minimum of 60-days after the stay is lifted so that the parties can engage in a settlement conference with Magistrate Judge Hixson in the case entitled *Hurricane Electric, LLC vs. Dallas Buyers Club, LLC et al.*, 3:20-CV-3813-CRB also pending in the United States District Court for the Northern District of California (“Co-Pending Copyright Action”) after the ruling in the Co-Pending Insurance Action.

Whereas, the Court entered the First Stipulation to Extend Defendants’ Deadline to Answer and/or Respond to Complaint [Doc. #20]. The First Stipulation granted Defendants up until October 2, 2020 to respond to the Complaint.

Whereas, the Court entered the Second Stipulation to Extend Defendants’ Deadline to Answer and/or Respond to Complaint [Doc. #23]. The Second Stipulation granted Defendants up until November 2, 2020 to respond to the Complaint.

Whereas, the Co-pending Copyright Action was referred to Magistrate Judge Hixson of the U.S. District Court for the Northern District of California for conducting an early Settlement Conference per the Parties’ request;

Whereas, Magistrate Judge Hixson agreed to conduct the Settlement Conference on behalf of the plaintiff and the defendants in both this Action and the Co-Pending Copyright Action so that both disputes could be resolved together;

Whereas, the Parties have concluded, and Magistrate Judge Hixson after holding two telephonic hearings agreed, that an early Settlement Conference would not be fruitful until after the dispute over the insurer’s duty to defend between Plaintiff and its insurer, National Fire Insurance Company of Hartford (“NFI”), in the Co-Pending Insurance Action has been resolved

1 or at least substantial progress has been made toward a resolution. A copy of the minutes from
2 the October 12, 2020 scheduling conference with Magistrate Hixson is attached hereto as Exhibit
3 1.

4 Whereas, on October 9, 2020, in the Co-Pending Insurance Action Plaintiff filed a Motion
5 For Partial Summary Judgment On National Fire's Duty To Defend Hurricane Electric in the
6 dispute with defendants here and in the Co-Pending Copyright Action.

7 Whereas the Parties have agreed that all parties in this Action shall reserve all rights and
8 that this requested stay, and the slight delay in this Action, shall not be construed in any manner
9 for or against any party on any issue, whether substantive or procedural.

10 Whereas, the Parties believe that there will be no "possible damage which may result from
11 the granting of a stay" or "hardship or inequity which a party may suffer" since the parties have
12 also agreed in the Northern District of California Action that parties will be allowed to conduct
13 limited third party discovery to preserve evidence. *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110
14 (9th Cir. 2005) (quoting *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962)). Moreover,
15 consideration of "the orderly course of justice measured in terms of the simplifying or
16 complicating issues" supports granting a stay since a stay will eliminate distraction of anticipated
17 motion practice between the parties until after the dispute between Plaintiff and its insurer, NFI,
18 in the Co-Pending Insurance Action has been resolved or at least substantial progress has been
19 made, thereby simplifying the issues. *Id.*

20 Whereas, the Northern District of California entered a Stay of the Co-Pending Copyright
21 Action on October 19, 2020 per the Parties' joint stipulation similar to the stipulation and order
22 requested in the present action. For the Court's convenience, a filed stamped copy of the
23 Stipulation and Order of Stay issued by Northern District of California in the Co-Pending
24 Copyright Action is attached hereto as Exhibit 2.

25 IT IS HEREBY STIPULATED AND AGREED by the Parties that this Action be
26 STAYED.

1 The Parties intend to resume the settlement conference proceedings with Magistrate Judge
2 Hixson in the Co-Pending Copyright Action after the Co-Pending Insurance Action has been
3 resolved or substantially progressed.

4 The Parties shall file a status report with this Court by January 4, 2021, or if sooner,
5 promptly after the settlement conference is conducted in the Co-Pending Copyright Action.

6
7 Dated this 23rd day of October, 2020.

Dated this 23rd day of October, 2020.

8 **CULPEPPER IP, LLC**

BAILEY ♦ KENNEDY

9
10 By: /s/ Kerry S. Culpepper
11 KERRY S. CULPEPPER
12 (ADMITTED PRO HAC VICE)
75-170 Hualalai Road, Suite B204
Kailua Kona, HI 96740

By: /s/ Joshua M. Dickey
JOSHUA M. DICKEY
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148-1302

In Association With:

13 F. CHRISTOPHER AUSTIN
14 WEIDE & MILLER, LTD.
15 10655 Park Run Drive, Suite 100
Las Vegas, Nevada 89144

NEIL D. GREENSTEIN
(ADMITTED PRO HAC VICE)
TECHMARK
1751 Pinnacle Drive, Suite 1000
Tysons, Virginia 22102

16 *Attorneys for Defendants*

Attorneys for Plaintiff
Hurricane Electric LLC

17
18
19 IT IS SO ORDERED:

20
21 
22 UNITED STATES DISTRICT JUDGE

23 DATED: November 16, 2020
24
25
26
27
28

Neil D. Greenstein

From: ECF-CAND@cand.uscourts.gov
Sent: Monday, October 19, 2020 10:55 AM
To: efiling@cand.uscourts.gov
Subject: Activity in Case 3:20-cv-03813-CRB Hurricane Electric LLC v. Dallas Buyers Club, LLC et al Telephone Conference

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

California Northern District

Notice of Electronic Filing

The following transaction was entered on 10/19/2020 at 10:54 AM and filed on 10/19/2020

Case Name: Hurricane Electric LLC v. Dallas Buyers Club, LLC et al

Case Number: [3:20-cv-03813-CRB](#)

Filer:

Document Number: 43(No document attached)

Docket Text:

Minute Entry for proceedings held before Magistrate Judge Thomas S. Hixson: Telephone Conference held on 10/19/2020 at 10:30 a.m.

FTR Time: Not Reported/Total Time in Court: 10:30-10:33- 3 minutes.

Plaintiff Attorney: Neil Greenstein, Esq.

Defendant Attorney: Kerry S. Culpepper, Esq.

Proceedings: Telephone Conference Held by AT&T Conference. Counsel shall notify the Court when duty to defend is resolved in the related case. A further call will when then be scheduled to set a Settlement Conference date.

If any questions please contact the Courtroom Deputy by email: Rose_Maher@cand.uscourts.gov

(This is a text-only entry generated by the court. There is no document associated with this entry.) (rmm2S, COURT STAFF) (Date Filed: 10/19/2020)

3:20-cv-03813-CRB Notice has been electronically mailed to:

John L. Roberts jlr@techmark.net, john@robertsiplaw.com

Kerry Steven Culpepper kculpepper@culpepperip.com

Martin R. Greenstein mrg@techmark.com, amr@techmark.com

Neil D. Greenstein ndg@techmark.com, calendar@lawinmotion.com, cmp@techmark.net, tlm@techmark.com

Tobi Carver Clinton tclinton@culpepperip.com, tobi@clintonfirm.com, kculpepper@culpepperip.com, xgamertc-
c@yahoo.com

3:20-cv-03813-CRB Please see [Local Rule 5-5](#); Notice has NOT been electronically mailed to:

Kerry S. Culpepper, HI Bar No. 9837, *pro hac vice*
Culpepper IP, LLC
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Roseville, CA 95678
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Fax: 202-204-5181
tclinton@culpepperip.com

Attorneys for Defendants: DALLAS BUYERS CLUB, LLC, a Texas LLC; DALLAS BUYERS CLUB, LLC, a California LLC; GLACIER FILMS 1, LLC; DOUBLE LIFE PRODUCTIONS, INC.; VOLTAGE PICTURES, LLC; COOK PRODUCTIONS, LLC; WWE STUDIOS FINANCE CORP.; MON, LLC; TBV PRODUCTIONS, LLC; CELL FILM HOLDINGS, LLC; VENICE PI, LLC; I AM WRATH PRODUCTION, INC.; POW NEVADA, LLC; HEADHUNTER, LLC; NICOLAS CHARTIER; CRAIG FLORES; AVI LERNER; VOLTAGE PRODUCTIONS, INC.; and KILLING LINK DISTRIBUTION.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

HURRICANE ELECTRIC LLC,

Plaintiffs,

v.

DALLAS BUYERS CLUB, LLC, et al.

Defendants.

Case No.: 3:20-CV-3813-CRB

**STIPULATION OF PLAINTIFF AND
DEFENDANTS TO STAY ACTION
PENDING RULING ON CO-PENDING
INSURANCE ACTION BY PLAINTIFF
AGAINST ITS INSURER AND PROVIDE
FOR LIMITED THIRD-PARTY
DISCOVERY; ~~PROPOSED~~ ORDER
GRANTING STAY**

Whereas, HURRICANE ELECTRIC, LLC (“Plaintiff”), through its counsel Neil D. Greenstein, and DALLAS BUYERS CLUB, LLC, a Texas LLC, DALLAS BUYERS CLUB, LLC, a California LLC; GLACIER FILMS 1, LLC; DOUBLE LIFE PRODUCTIONS, INC.; VOLTAGE PICTURES, LLC; COOK PRODUCTIONS, LLC; WWE STUDIOS FINANCE CORP.; MON, LLC; TBV PRODUCTIONS, LLC; CELL FILM HOLDINGS, LLC; VENICE PI,

1 LLC; I AM WRATH PRODUCTION, INC.; POW NEVADA, LLC; HEADHUNTER, LLC;
2 NICOLAS CHARTIER; AVI LERNER; VOLTAGE PRODUCTIONS, INC.; CRAIG FLORES
3 and KILLING LINK DISTRIBUTION (“Defendants”), through their counsel Kerry S. Culpepper,
4 stipulate for an order staying this action, subject to the exceptions set forth below, pending resolution
5 of Plaintiff’s insurer’s duty to defend in the Co-Pending Insurance Action (defined below). Plaintiff
6 and the Defendants are referred to collectively as “Parties.” The Parties recognize that there is some
7 third-party data and documents that may not be regularly preserved and have agreed,
8 notwithstanding the stay, that certain third-party discovery, as explained below, may proceed during
9 the stay. Finally, the Parties have agreed that Defendants’ answers or other responses to the
10 complaint should be set a minimum of 60-days after the stay is lifted so that the parties can engage
11 in a settlement conference with Magistrate Judge Hixson after the ruling in the Co-Pending
12 Insurance Action.
13

14
15 Whereas, the Court endorsed the Parties’ First Stipulation to Extend Defendants’ Deadline
16 to Answer and/or Respond to Complaint [Doc. #28]. The First Stipulation granted Defendants up
17 until October 2, 2020 to respond to the Complaint.

18 Whereas, the Court endorsed the Parties’ Second Stipulation to Extend Defendants’
19 Deadline to Answer and/or Respond to Complaint [Doc. #41]. The Second Stipulation granted
20 Defendants up until November 2, 2020 to respond to the Complaint.

21 Whereas, Plaintiff has filed a lawsuit against its insurer National Fire Insurance Company
22 of Hartford, Inc. (“NFI”) in this District in the case entitled *Hurricane Electric, LLC vs. National*
23 *Fire Insurance Company of Hartford*, 3:20-cv-05840-CRB (the “Co-Pending Insurance Action”).
24 This Court has ordered that the Co-Pending Insurance Action and the present case be treated as
25 related cases [Doc. #36].

26 Whereas, the Court referred this present case to Magistrate Judge Hixson for conducting an
27 early Settlement Conference per the Parties’ request [Doc. #29]; however, the Parties have
28 concluded that an early Settlement Conference would not be fruitful until after the dispute over the

insurer's duty to defend between Plaintiff and NFI in the Co-Pending Insurance Action has been resolved or at least substantial progress has been made toward a resolution.

Whereas, on October 9, 2020, in the Co-Pending Insurance Action Plaintiff filed a Motion For Partial Summary Judgment On National Fire's Duty To Defend Hurricane Electric in the Instant Action.

Whereas the Parties have agreed that all parties in this Action shall reserve all rights and that this requested stay, and the slight delay in this Action, shall not be construed in any manner for or against any party on any issue, whether substantive or procedural.

Whereas, the Parties believe that there will be no "possible damage which may result from the granting of a stay" or "hardship or inequity which a party may suffer" since the Parties have also agreed that Parties will be allowed to conduct limited third party discovery. *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005) (quoting *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962)). Moreover, consideration of "the orderly course of justice measured in terms of the simplifying or complicating issues" supports granting a stay since a stay will eliminate distraction of anticipated motion practice between the parties until after the dispute between Plaintiff and NFI in the Co-Pending Insurance Action has been resolved or at least substantial progress has been made, thereby simplifying the issues. *Id.*

Accordingly, the Parties agree that all deadlines in this matter including the Case Management Conference, any direct formal discovery *between* the Parties and the early settlement conference be STAYED. The Parties intend to resume the settlement conference proceedings with Magistrate Judge Hixson after said Co-Pending Insurance Action has been resolved.

Whereas, the Defendants request that the Court issue an Order granting leave to conduct limited early third-party discovery prior to the Rule 26(f) Conference as follows:

(a) Internet Service Providers ("ISP") only maintain internal logs of subscriber information for a brief period of time. *See Digital Sin, Inc. v. Does 1-176*, 279 F.R.D. 239, 242 (S.D.N.Y. 2012) ("[E]xpeditious discovery is necessary to prevent the requested data from being lost forever as part of routine deletions by the ISPs."). Accordingly, Defendants request that the Court issue an Order granting leave to Defendants to serve Subpoenas per Rule 45 of the *Federal Rules of Civil*

1 *Procedure on:*

2 (1) ISPs that are customers/affiliates of Plaintiff, identified in attached Exhibit "1," where
3 Defendants' motion pictures were allegedly infringed, but only to request subscriber identification
4 information of Internet Protocol ("IP") addresses; and

5 (2) email providers such as Google, Microsoft and Yahoo solely to request identification
6 and IP address log records for email addresses that were used to log into the YTS website which
7 Defendants claim were allegedly used to download, through Plaintiff's customers, torrent files of
8 Defendants' motion pictures as identified in Exhibit "1".

9 (b) There has been extensive litigation, depositions and documents of the defendants in other
10 copyright enforcement action involving the same copyrights and such deposition transcripts and
11 documents may be in the possession of third parties, who are not presently under a retention
12 obligation. In order to avoid the loss of such valuable and likely probative information, the Parties
13 stipulate and agree, and request leave of Court, so that Plaintiff may issue FRCP 45 subpoenas to
14 third-parties for copies of deposition transcripts and other documents from prior cases.

15 This stipulation and order is solely an authorization to issue third-party subpoenas as
16 described above, and nothing herein shall be deemed an approval as to the substance of any
17 subpoena. All Parties and third-parties retain all rights to seek to quash, modify, and/or otherwise
18 object to such subpoenas in the appropriate court.

19 On August 19, 2020, Plaintiff filed an amended complaint. A question has arisen as to
20 whether such amended complaint was timely and appropriately filed on that date. Defendants
21 hereby consent to the August 19, 2020 filing of Plaintiff's Amended Complaint.

22 ///

23 ///

24 ///

1 The Parties stipulate to the Court granting the above requested Orders.

2 The Parties shall file a status report with the Court by January 4, 2021, or if sooner,
3 promptly after disposition of the obligation of the insurer to defend this action in the Co-Pending
4 Insurance Action.

5 DATED Kailua-Kona, Hawaii, October 17, 2020.

6 Respectfully submitted,

7 **CULPEPPER IP, LLLC**

8
9 /s/ Kerry S. Culpepper
10 Kerry S. Culpepper
Attorney for Certain Defendants

11 IT IS SO STIPULATED.

12
13 Respectfully,

14 NEIL D. GREENSTEIN
15 MARTIN R. GREENSTEIN
16 JOHN L. ROBERTS
17 TECHMARK

18 Dated: October 17, 2020

19
20 By: Neil D. Greenstein
Neil D. Greenstein
Attorneys for Plaintiff

21 **ORDER**
22 [L.R. 7-12]

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Date: October 19, 2020

25
26 Charles R. Breyer
Charles R. Breyer
United States District Judge

Exhibit "1"

No	email address	IP	Hit Date UTC
1	farhad.sukhia@gmail.com	65.49.126.194	11/13/2019 0:25:59
	farhad.sukhia@gmail.com	65.49.126.194	6/11/2019 18:36:00
	farhad.sukhia@gmail.com	65.49.126.194	6/11/2019 18:36:00
	farhad.sukhia@gmail.com	65.49.126.194	7/14/2019 11:35:00
	farhad.sukhia@gmail.com	65.49.126.194	8/11/2019 13:21:00
	farhad.sukhia@gmail.com	65.49.126.194	11/15/2019 5:09:00
	farhad.sukhia@gmail.com	65.49.126.194	12/3/2019 15:31:00
	farhad.sukhia@gmail.com	65.49.126.194	12/19/2019 6:00:00
	farhad.sukhia@gmail.com	65.49.126.194	12/28/2019 6:09:00
	farhad.sukhia@gmail.com	65.49.126.194	5/18/2019 2:26:00
2	betchayhipolito@yahoo.com	74.82.60.96	4/4/2019 5:54:52
	betchayhipolito@yahoo.com	74.82.60.96	4/3/2019 6:33:32
	betchayhipolito@yahoo.com	74.82.60.96	6/16/2019 18:16:54
3	dsvinayr5@gmail.com	65.49.126.173	2/27/2019 18:17:29
	dsvinayr5@gmail.com	65.49.126.173	12/3/2019 11:38:47
	dsvinayr5@gmail.com	65.49.126.173	12/28/2019 13:55:20
	dsvinayr5@gmail.com	65.49.126.173	12/30/2019 7:07:13
	dsvinayr5@gmail.com	65.49.126.173	2/10/2020 18:47:36
	dsvinayr5@gmail.com	65.49.126.173	2/21/2020 1:07:27
4	nandanlalkumar@gmail.com	74.82.60.87	3/4/2019 19:14:17
	nandanlalkumar@gmail.com	74.82.60.87	12/10/2019 14:31:10
5	acctgsupervisor.rdlgroup@gmail.com	74.82.60.196	3/29/2019 4:18:37
	acctgsupervisor.rdlgroup@gmail.com	74.82.60.196	7/14/2019 1:28:15
	acctgsupervisor.rdlgroup@gmail.com	74.82.60.196	7/29/2019 6:38:00
	acctgsupervisor.rdlgroup@gmail.com	74.82.60.196	11/19/2019 2:51:28
6	paulosoriano1975@gmail.com	74.82.60.191	2/10/2020 0:50:18
	paulosoriano1975@gmail.com	74.82.60.191	7/14/2019 0:47:50
	paulosoriano1975@gmail.com	74.82.60.191	12/3/2019 12:24:15
	paulosoriano1975@gmail.com	74.82.60.191	1/11/2020 21:50:11
7	nishil.mehra@gmail.com	72.52.87.189	7/13/2019 8:43:02
	nishil.mehra@gmail.com	72.52.87.189	11/25/2019 18:02:13
	nishil.mehra@gmail.com	72.52.87.189	12/10/2019 16:19:56
	nishil.mehra@gmail.com	72.52.87.189	1/1/2020 2:10:08
	nishil.mehra@gmail.com	72.52.87.189	5/16/2019 14:00:18
8	rp8260@gmail.com	74.82.60.96	2019-07-15 12:54:54
	rp8260@gmail.com	74.82.60.96	4/3/2019 6:33:00
	rp8260@gmail.com	74.82.60.96	6/16/2019 18:16:00
9	bitihindaboris@gmail.com	65.49.38.140	7/21/2019 15:59:50
10	m27santhos@gmail.com	72.52.87.98	12/5/2019 11:44:00
	m27santhos@gmail.com	72.52.87.98	7/18/2019 8:13:00
	m27santhos@gmail.com	72.52.87.98	8/4/2019 23:10:00
	m27santhos@gmail.com	72.52.87.98	11/23/2019 17:08:00
	m27santhos@gmail.com	72.52.87.98	2/12/2020 21:22:00
	m27santhos@gmail.com	72.52.87.98	3/27/2020 0:41:28
11	a.abolfazl@yahoo.com	72.52.87.97	11/26/2019 20:54:52
	a.abolfazl@yahoo.com	72.52.87.97	1/25/2019 4:14:46

	a.abolfazl@yahoo.com	72.52.87.97	6/20/2019 4:00:21
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	a.abolfazl@yahoo.com	72.52.87.97	12/2/2019 1:50:43
	a.abolfazl@yahoo.com	72.52.87.97	12/4/2019 9:31:56
	a.abolfazl@yahoo.com	72.52.87.97	2/23/2020 19:40:45
12	madden07_21@yahoo.com	65.49.113.50	11/26/2019 6:40:25
13	pottasaiteja@gmail.com	74.82.60.172	11/25/2019 4:43:23
	pottasaiteja@gmail.com	74.82.60.172	7/9/2019 15:28:15
	pottasaiteja@gmail.com	74.82.60.172	7/13/2019 18:14:15
	pottasaiteja@gmail.com	74.82.60.172	10/14/2019 8:20:15
	pottasaiteja@gmail.com	74.82.60.172	11/22/2019 17:54:09
14	beam_528@yahoo.com	65.49.126.92	1/18/2019 6:03:54
	beam_528@yahoo.com	65.49.126.92	5/13/2019 6:57:06
	beam_528@yahoo.com	65.49.126.92	7/14/2019 2:00:28
	beam_528@yahoo.com	65.49.126.92	7/20/2019 4:34:31
	beam_528@yahoo.com	65.49.126.92	10/22/2019 8:48:28
15	owolabi_akanni@yahoo.com	74.82.63.195	2/22/2019 11:10:22
16	jceguilos02@yahoo.com	5.152.182.191	5/29/2019 15:27:26
17	oo675381@gmail.com	74.82.63.196	5/9/2019 10:52:18
18	nkadimeng.mphojunior373@gmail.com	74.82.60.192	6/5/2019 13:58:43
	nkadimeng.mphojunior373@gmail.com	74.82.60.192	5/10/2019 6:54:10
	nkadimeng.mphojunior373@gmail.com	74.82.60.192	12/7/2019 14:44:02
	nkadimeng.mphojunior373@gmail.com	74.82.60.192	12/19/2019 2:47:48
	nkadimeng.mphojunior373@gmail.com	74.82.60.192	2/8/2020 15:22:37
	nkadimeng.mphojunior373@gmail.com	74.82.60.192	2/13/2020 16:10:13
	nkadimeng.mphojunior373@gmail.com	74.82.60.192	11/21/2019 22:01:29
19	tsixlass@hotmail.com	65.49.38.141	10/5/2019 7:36:54
20	justin.warner0@rediffmail.com	72.52.87.80	1/25/2020 18:51:18
	justin.warner0@rediffmail.com	72.52.87.80	4/13/2019 7:35:19
	justin.warner0@rediffmail.com	72.52.87.80	6/11/2019 18:12:58
	justin.warner0@rediffmail.com	72.52.87.80	11/15/2019 9:34:09
	justin.warner0@rediffmail.com	72.52.87.80	12/4/2019 14:19:04
	justin.warner0@rediffmail.com	72.52.87.80	7/15/2019 7:57:41
21	h1366m@yahoo.com	64.62.219.31	1/22/2020 21:36:46
22	peymanrashidi@yahoo.com	65.49.126.187	1/22/2020 21:57:07
	peymanrashidi@yahoo.com	65.49.126.187	5/17/2019 7:38:46
	peymanrashidi@yahoo.com	65.49.126.187	8/25/2019 23:00:39
	peymanrashidi@yahoo.com	65.49.126.187	10/20/2019 7:30:45
	peymanrashidi@yahoo.com	65.49.126.187	12/10/2019 14:57:04
23	n.panchiwala@yahoo.in	74.82.60.193	3/19/2020 5:56:05
	n.panchiwala@yahoo.in	74.82.60.193	12/2/2019 10:04:49
	n.panchiwala@yahoo.in	74.82.60.193	12/27/2019 1:21:12
	n.panchiwala@yahoo.in	74.82.60.193	12/30/2019 22:03:09
24	vincentlimin@yahoo.com	72.52.87.191	10/11/2019 18:17:26
	vincentlimin@yahoo.com	72.52.87.191	5/19/2019 13:39:27
	vincentlimin@yahoo.com	72.52.87.191	6/20/2019 11:54:35

	vincentlimin@yahoo.com	72.52.87.191	7/11/2019 23:52:42
	vincentlimin@yahoo.com	72.52.87.191	11/17/2019 7:12:19
	vincentlimin@yahoo.com	72.52.87.191	12/28/2019 4:34:33
	vincentlimin@yahoo.com	72.52.87.191	2/6/2020 9:59:59
	vincentlimin@yahoo.com	72.52.87.191	3/26/2020 16:57:58
25	jegannathanlaalapet@gmail.com	65.49.126.190	8/25/2019 15:34:56
	jegannathanlaalapet@gmail.com	65.49.126.190	7/14/2019 0:36:13
	jegannathanlaalapet@gmail.com	65.49.126.190	10/21/2019 12:01:14
	jegannathanlaalapet@gmail.com	65.49.126.190	1/16/2020 6:20:37
	jegannathanlaalapet@gmail.com	65.49.126.190	1/29/2020 2:28:41
	jegannathanlaalapet@gmail.com	65.49.126.190	2/4/2020 7:47:46
	jegannathanlaalapet@gmail.com	65.49.126.190	8/29/2019 1:37:06
	jegannathanlaalapet@gmail.com	65.49.126.190	10/9/2019 17:08:49
26	gmurage23@gmail.com	184.104.204.2	10/25/2019 15:51:17
27	neutralizer4wot@gmail.com	77.111.246.214	11/30/2019 1:26:15

Exhibit "1"

No	email address	ISP
1	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
	farhad.sukhia@gmail.com	Hurricane Electric / Sophidea
2	betchayhipolito@yahoo.com	Hurricane Electric / Sophidea
	betchayhipolito@yahoo.com	Hurricane Electric / Sophidea
	betchayhipolito@yahoo.com	Hurricane Electric / Sophidea
3	dsvinayr5@gmail.com	Hurricane Electric / Sophidea
	dsvinayr5@gmail.com	Hurricane Electric / Sophidea
	dsvinayr5@gmail.com	Hurricane Electric / Sophidea
	dsvinayr5@gmail.com	Hurricane Electric / Sophidea
	dsvinayr5@gmail.com	Hurricane Electric / Sophidea
	dsvinayr5@gmail.com	Hurricane Electric / Sophidea
4	nandanlalkumar@gmail.com	Hurricane Electric / Sophidea
	nandanlalkumar@gmail.com	Hurricane Electric / Sophidea
5	acctgsupervisor.rdlgroup@gmail.com	Hurricane Electric / Sophidea
	acctgsupervisor.rdlgroup@gmail.com	Hurricane Electric / Sophidea
	acctgsupervisor.rdlgroup@gmail.com	Hurricane Electric / Sophidea
	acctgsupervisor.rdlgroup@gmail.com	Hurricane Electric / Sophidea
6	paulosoriano1975@gmail.com	Hurricane Electric / Sophidea
	paulosoriano1975@gmail.com	Hurricane Electric / Sophidea
	paulosoriano1975@gmail.com	Hurricane Electric / Sophidea
	paulosoriano1975@gmail.com	Hurricane Electric / Sophidea
7	nishil.mehra@gmail.com	Hurricane Electric / Sophidea
	nishil.mehra@gmail.com	Hurricane Electric / Sophidea
	nishil.mehra@gmail.com	Hurricane Electric / Sophidea
	nishil.mehra@gmail.com	Hurricane Electric / Sophidea
	nishil.mehra@gmail.com	Hurricane Electric / Sophidea
	nishil.mehra@gmail.com	Hurricane Electric / Sophidea
8	rp8260@gmail.com	Hurricane Electric / Sophidea
	rp8260@gmail.com	Hurricane Electric / Sophidea
	rp8260@gmail.com	Hurricane Electric / Sophidea
9	bitihindaboris@gmail.com	Hurricane Electric / Dynaweb Foundation
10	m27santhos@gmail.com	Hurricane Electric / Sophidea
	m27santhos@gmail.com	Hurricane Electric / Sophidea
	m27santhos@gmail.com	Hurricane Electric / Sophidea
	m27santhos@gmail.com	Hurricane Electric / Sophidea
	m27santhos@gmail.com	Hurricane Electric / Sophidea
	m27santhos@gmail.com	Hurricane Electric / Sophidea
11	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea
	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea

	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea
	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea
	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea
	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea
	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea
	a.abolfazl@yahoo.com	Hurricane Electric / Sophidea
12	madden07_21@yahoo.com	Hurricane Electric / N.A.
13	pottasaiteja@gmail.com	Hurricane Electric / Sophidea
	pottasaiteja@gmail.com	Hurricane Electric / Sophidea
	pottasaiteja@gmail.com	Hurricane Electric / Sophidea
	pottasaiteja@gmail.com	Hurricane Electric / Sophidea
	pottasaiteja@gmail.com	Hurricane Electric / Sophidea
14	beam_528@yahoo.com	Hurricane Electric / Sophidea
	beam_528@yahoo.com	Hurricane Electric / Sophidea
	beam_528@yahoo.com	Hurricane Electric / Sophidea
	beam_528@yahoo.com	Hurricane Electric / Sophidea
	beam_528@yahoo.com	Hurricane Electric / Sophidea
15	owolabi_akanni@yahoo.com	Hurricane Electric / SafeChat Inc
16	jceguilos02@yahoo.com	Hurricane Electric / ElasticHosts Ltd
17	oo675381@gmail.com	Hurricane Electric / SafeChat Inc
18	nkadimeng.mphojunior373@gmail.com	Hurricane Electric / Sophidea
	nkadimeng.mphojunior373@gmail.com	Hurricane Electric / Sophidea
	nkadimeng.mphojunior373@gmail.com	Hurricane Electric / Sophidea
	nkadimeng.mphojunior373@gmail.com	Hurricane Electric / Sophidea
	nkadimeng.mphojunior373@gmail.com	Hurricane Electric / Sophidea
	nkadimeng.mphojunior373@gmail.com	Hurricane Electric / Sophidea
	nkadimeng.mphojunior373@gmail.com	Hurricane Electric / Sophidea
19	tsixlass@hotmail.com	Hurricane Electric / Dynaweb Foundation
20	justin.warner0@rediffmail.com	Hurricane Electric / Sophidea
	justin.warner0@rediffmail.com	Hurricane Electric / Sophidea
	justin.warner0@rediffmail.com	Hurricane Electric / Sophidea
	justin.warner0@rediffmail.com	Hurricane Electric / Sophidea
	justin.warner0@rediffmail.com	Hurricane Electric / Sophidea
	justin.warner0@rediffmail.com	Hurricane Electric / Sophidea
21	h1366m@yahoo.com	Hurricane Electric / Sophidea
22	peymanrashidi@yahoo.com	Hurricane Electric / Sophidea
	peymanrashidi@yahoo.com	Hurricane Electric / Sophidea
	peymanrashidi@yahoo.com	Hurricane Electric / Sophidea
	peymanrashidi@yahoo.com	Hurricane Electric / Sophidea
	peymanrashidi@yahoo.com	Hurricane Electric / Sophidea
23	n.panchiwala@yahoo.in	Hurricane Electric / Sophidea
	n.panchiwala@yahoo.in	Hurricane Electric / Sophidea
	n.panchiwala@yahoo.in	Hurricane Electric / Sophidea
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	vincentlimin@yahoo.com	Hurricane Electric / Sophidea
	vincentlimin@yahoo.com	Hurricane Electric / Sophidea
	vincentlimin@yahoo.com	Hurricane Electric / Sophidea
25	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
	jegannathanlaalapet@gmail.com	Hurricane Electric / Sophidea
26	gmurage23@gmail.com	Hurricane Electric / Triton Digital Inc (fka Ando Media Group LLC)
27	neutralizer4wot@gmail.com	Opera Mini Proxy

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HURRICANE ELECTRIC LLC,

Plaintiffs,

v.

DALLAS BUYERS CLUB, LLC, et al.

Defendants.

Case No.: 3:20-CV-3813-CRB

ATTESTATION

ATTESTATION

Pursuant to LR 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of the other signatories who are listed on the signature. I have filed a scanned image of the signature page, signed by the parties, of the document being electronically filed, in lieu of maintaining the paper record for subsequent production if required.

DATED Kailua-Kona, Hawaii, October 18, 2020.

Respectfully submitted,

CULPEPPER IP, LLLC

/s/ Kerry S. Culpepper

Kerry S. Culpepper

Attorney for Defendants